1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

121 the allocation of members in a genealogy to a socially and culturally recognized kin
60 group. This may include the same persons as a genealogical group, or it may in-
61 clude only part of them.

(c) Affinal relations—the links between individuals which are based upon marriage through the socially recognized union of a husband and wife.

601 The Kanuri separate genealogical relations from those of descent just as we
602 do by speaking of distant relations. They have a special word for such people, although many younger people today do not use it, and simply describe such people as "distant" or "far away" in the same way that Kano is far away from Maiduguri. The traditional word refers to a vine that grows around a household wall and then continues to reach out and grow on the walls of adjoining households. However the vines all stem from one root, just as an expanded genealogical tree can be viewed as coming from one man and his wife or wives. These distant kin do not attend one another's family ceremonies or send gifts on important occasions. Indeed their whereabouts are often not very well known to the person speaking of them. Many Kanuri can give quite a large number of such kin especially in the parents' generation, their own, and that of their children. On the other hand, like Americans, they find it difficult to remember relatives back beyond their grandparents even though there is a special kinship term for great-grandparents, and only a few people can name the brothers and sisters of their grandparents. Exceptions to this occur in increasing degree as families become more and more aristocratic. Such families retain the memory of important male ancestors in their genealogy much further back than do ordinary people; indeed they often maintain special persons to keep the memory alive.

601 Set into the genealogy of any Kanuri individual is his own descent group.
611 In anthropological jargon—used because once understood, it is technically efficient —this group is reckoned cognatically with an agnatic emphasis. That is to say, Kanuri descent groups are based upon an individual's relation to persons through both his father and mother (cognatic relationships); and a person feels equally related to all of his four grandparents. However there is an emphasis placed upon those related to a person through males only (agnatic or patrilineal descent) for a number of important activities. The father's cognatic descent group is called the family of the blood, and the mother's cognatic group is the family of the milk, while the word "family" (*dur*) refers to both father's and mother's side of the family. Other evidence for the cognatic quality can be seen in the words used for various relatives in the descent group. There are no distinctions between mother's side and father's side in the terms for great-grandparent and grandparent, and although there are significant differences in the terms used to refer to relatives of the parent's generation level, cousins on both mother's and father's sides can be lumped under one term, which is the same as the one used to refer to a brother or a sister. On the other hand, there are differences between the mother's and the father's side which we refer to as an agnatic emphasis.

611 This emphasis can be easily seen in inheritance and when a man goes to
671 court. The Kanuri follow Islamic inheritance law in which men receive two por-
428 tions to every one given to a woman. Thus it is twice as important to be related to
562 your father as your mother, if everything else is equal, such as the amount of wealth
578 to be inherited and so on. These rules of inheritance are followed very closely in

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

These rules of inheritance are followed very closely in practice, because everyone knows that any dispute over inheritance that cannot be settled amicably between the surviving relatives goes to court—and the court normally takes ten percent of the estate for its adjudication services in an inheritance dispute. When a man is called into the courts, and most Kanuri have been to court at some time in their lives, he must go with his agnates—his father, paternal grandfather, father's brothers, sons, father's brother's sons, and any other male he can muster who is related to him in the male line. This agnatically related group is legally responsible as a whole for the acts of each of its members unless a crime against the state has been committed. A Kanuri who is threatened immediately thinks of this group as the one that he can turn to for help. As we shall see later the group often lives close together so that the agnates are neighbors as well as a corporate group in the eyes of the law. They help one another in many day-to-day activities, perform ceremonies together, and often practice the same or closely related occupations.

Although there is an emphasis on a person's agnates, his kin relations through his mother are also quite important. People who have no matrilateral kin (those related to a person through the mother), or very few of them, are considered to be unfortunate because they lack that much warmth and affection in their lives. These kin, say the Kanuri, love you like a mother loves her child. You can feel at home with them in a way that is less conflict-ridden than any other kinship relation. People often said that if they had to borrow money it was better to go to mother's kin first before asking anyone related to them agnatically. There is always some tension over property among an agnatic descent group because it is the major one for purposes of inheritance, family wealth, and privileges. People say that if a man borrows from his father or his father's brothers, or his brothers, or his patrilateral cousin, he is trying to get his inheritance or that of his brothers before the proper time. Furthermore, the responsibility in court, and in the eyes of public opinion, of one agnate for another also increases the tensions in this group as compared to the matrilateral one. By contrast, however, a man with no agnates is not just unfortunate—he is a social outcast. He has no group to stand up for him as a result of his birth into society; he has no legal right to a father's inheritance, he is thought of as an outcast, he must rely solely on his wits, and he cannot easily be trusted.

A village area chief and his advisers declared that I should not hire a certain man and claimed that they were going to see to it that I certainly did not take him into my household. They told me that no one in the vicinity knew his brothers or his father, or his father's brothers, or indeed if he had any, or where they might be, and he would not volunteer any information on the subject. In their eyes he was not a responsible person, and if he did anything wrong there was no group they could call into account for it. Unless he could attach himself to a household, he simply had no means of achieving an accepted position in the community, and the village leaders did not like the idea of making me, a European stranger, responsible for this unknown man.[1] Obviously under such circumstances illegitimate

[1] This would mean that as his household head I must appear in court if and when he did something wrong. The local leaders did not believe they could require this responsibility from me, and were thus faced with the problem of allowing into their community a man for whom no one could vouch, yet giving him a paid place in one of its wealthiest households.

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

which he hopes are less important. Furthermore, as in any bureaucracy, standards and their enforcement change through time, often as a result of changing personnel at the top. A new council member may have become interested in school latrines and suddenly start forcing compliance with the rules about such things. Failure to do so or to hear about the stringency with which the old previously unimportant policies are now being enforced could bring trouble to the district head who failed to comply. This is why information about policy and the cultivation of powerful friends in the central government is so important for the district head.

Before leaving the rural area a word should be said about adjudication. All leaders in the Bornu political system adjudicate disputes, and the political hierarchy itself serves as an appeals court system. Thus a peasant can take his dispute with a neighbor to his bullama (hamlet or ward head), who may decide to take the case up to the lawan (village area head), who in turn may decide to take the case to the district head. The district head may further decide to send the case over to the district court, and, if necessary, the district court can send the case into the capital city, to the court of the chief alkali of Bornu (chief judge's court). People can go directly to the judge's or district court, and in the city many do. Even with very serious cases like murder which must go into the central court in the city, the people taking the murderer into the city court most often go up the political hierarchy reporting the case each time they see another official even though there is no adjudication, thus giving recognition to their political leaders rather than going directly to a higher court.

Cases are tried by a combination of Muslim law and local custom. The chief or judge listens to the case, and if three witnesses swear for one side in a dispute but not the other, then the side whose witness has sworn wins the case. If no one swears evidence or too many people swear on both sides, then the judge listens while his assistant in the court interrogates the parties involved. The judge, whoever he may be, then makes a decision. Very often the interrogation itself tends to move the evidence towards one side in a dispute or another. Usually if a crowd gathers, one can see by simply listening to the crowd which side of the court case is winning the argument. On the whole decisions are just unless there have been previous and difficult relations between the adjudicator and any of the parties concerned. Swearing evidence in a court is called "eating the Koran"; that is to say, a person must swear on the holy book. If he tells a lie, it is believed that his hand will shrivel and he will die of horrible diseases. This belief is widespread and it is genuinely feared that the traditionally implied consequences of lying in court are in fact quite true.

The Organization at the Center

In Maiduguri at the eastern end of the royal plaza is the palace of the Shehu, flanked on one side by the mosque and on the other by the official residence of the Waziri or chief minister of the emirate. The Shehu is the formal head of government. All measures, policies, appointments, made within the state are in his name; titles are granted at official investiture ceremonies carried on in the royal palace and he is the formal leader of the religious community of the state. This is em-

796 ceremony. Naming of children, circumcision, marriage and burial all have a religious aspect, though of course the nature of the ceremony is strongly Kanuri in character, and differs from the same ceremony as practiced by Moslems generally or from that ceremony as practiced by other nearby African Moslems. Similarly, the ceremonial holidays in the yearly cycle follow the Moslem calendar. Days of celebration include: the new year, the prophet's birthday, the sacrifice of the ram, and of course the month of Ramadan.

2. Islamic Law.

• 671 779 517 Several aspects of Kanuri culture are most profoundly affected by Islam, and will here be given more extended discussion. Law is perhaps the foremost of these. Acceptance of Islam means the acceptance of Islamic law. This involves two broad areas: one's conduct in everyday life, and formal, written law which is a part of political organization. With respect to the first, the Kanuri view of the "good man" is synonymous with being a good Moslem. In one's every-day conduct one should be properly humble and respectful of superiors, and false pride (ro kura) is considered a despicable trait. One should be devout not only in performing ritual acts, such as prayer, but in one's thoughts. It is commendable for a man to awake early in the morning, long before the time one begins the day's work, for contemplation and the counting of prayer beads (tasbimi).

[692] Disputes are taken to the Lowan and to the Ajia for arbitration,

671 779 692 and here the spirit of the Koran is the guide to proper behavior.

[171] In the area of formal law, the Kanuri follow the same legal school prevalent throughout the Western Sudan--the Maliki legal school. Maliki law covers criminal law, rules of evidence, procedure, sentencing, property rights, contracts between individuals, law of marriage and divorce, inheritance and numerous other areas. Formal courts exist in Bornu, pre-
[693] sided over by Kanuri Alkalis, or judges. The Alkali begins his training, like so many Kanuri boys, by study of the Koran with a Malam. He completes his training, at present, in the Legal School at Kano. Islamic law in Northern Nigeria falls within the general area of "Native Law and Custom."

3. Education.

871 779 Education, as the Kanuri understand it, means studying the Koran. From about the age of six, both boys and girls are
[863] sent to a Malam to learn to pray. Every village has someone who can perform this minimum function, but only the towns have
[562] Malams. It is sufficient for a girl to memorize the prayers,
[565] and most boys proceed no further. However, parents who have greater aspirations for their sons, generally sons from upper class homes, will send their sons to live in the house of a Malam and study with him. Occasionally boys who show aptitude in their studies will be sent on to a more important Malam to
876 779 continue their studies. Under the tutelage of the Malam, the

42 has built, as it was built through his labor or his money.
[435] Since there is great pressure for desirable house sites, an old house which is no longer worth much but is located on a good site will be sold for an amount far exceeding the value of the house itself. To all intents and purposes the owner is selling
42 the land on which the house stands. Fishing sites along the
226 river are under the "ownership" of the Lowans, and sites are given to people to use. Fishing sites are inherited but may not be sold.

425 As was pointed out earlier, land is increasingly viewed as
178 a commodity which can be bought and sold. Original Kanuri ideas about land have been undergoing change. Just as house sites within the town are sold, so too farm land is sold under
425 certain conditions. The legality of these proceedings, accord-
671 ing to Kanuri law, is still somewhat vague. A stranger coming
[651] to Geidam will be given land to farm only if he intends to remain in Geidam and will pay his haraji there. A Geidam man who moves elsewhere, and does not intend to return, will consequently be paying his haraji in the new town where he will settle. He
[427] forfeits the rights which he held to farmland in Geidam. Nor may he sell that land except under special conditions. However, one Geidam man may give, rent or sell his farm land to another Geidam man. Both, of course, continue to pay haraji in Geidam. According to the Alkali of Geidam, sale of farm land is legally viewed in the following manner: if a man's father worked a piece of land and he in turn inherited that land, his possession of the

425 land is sufficiently old so that he can sell the land if he
• 671 wishes to. If a man works a piece of land for a long time (for
425 ten years, for example) he can sell it. But in a recent legal
695 case a policeman who worked in Geidam was given land by the
Lowan. After a year he left Geidam for Maiduguri and sold the
land. The Alkali ruled that he had not had the land for a sufficiently long period of time to enable him to sell it, and forced him to return the sum of money which was paid to him by the new owner.

241 Land is farmed under a variety of conditions. Talaka farm
565 the land themselves with the help of wives and children. A
592 wealthy man, however, may take a very large section of farm land from the Lowan, which he will not work personally. Instead the members of his household, his many tata njima, farm his land for him. His tata njima work on the farm of the household head
[465] because this is one of their duties. They receive no payment
241 in the form of a share of the crops for their labor. Some
565 wealthy men may not have very large households of their own, and
464 may hire day laborers to work for them. This, too, is a new ap-
[178] proach to labor for the Kanuri. A man with a very large farm
241 who does not intend to use all of his land himself can rent out
427 sections, particularly if his land is in a very favorable location. The renter pays a fixed sum to the owner, and the crops belong entirely to him. No form of share-cropping is practiced.

241 The Ajia of Geidam has huge sections of land alloted to him.
634 Any of his people, his slaves, his kabuna or others attached to
[423]

627 is still widely practiced. If a man's decisions are just and people trust him, they will come to him for sholo. If he is not trusted, if he is feared or disliked, people will not bring 627 cases for him to hear. In one situation mentioned, the Lowan 663 of a town hears many cases and receives large amounts in wushira, 661 because he is wise and knows how to deal with people and resolve disputes. The Ajia of that district, who lives in the same town, does very little sholo because he is not tactful, loses his temper, and shouts a good deal. Should people suspect that a Lowan or an Ajia is taking bribes, they will cease to bring their disputes before him. The essence of sholo is that it represents a voluntary action on the part of disputants who wish to have a conflict resolved. The mediator is a person in authority, who is obligated to rule justly by virtue of his position. Should he misuse his position by taking bribes, he would violate the expectations of those beneath him, and they, by ceasing to bring cases to him for sholo, would prevent him from performing one of the most important roles of someone in his position. Giving of kafelo, therefore, is a recognition [631] [654] of the status of the man hearing the case, and is quite different from a bribe.

627 Yerima hears fifteen or twenty cases each week in which 431 he gives sholo. If mediation is impossible, he will send the [671] case to court. To have a case brought before Yerima, the complainant gives several shillings to his wakil. Yerima is never given money directly, but money collected by the wakil is turned

[GEIDAM]

627 Alkalis as Yerima is with Alkali Baba Kura, but Yerima would
663 put his influence to use only when affairs arise which directly
661 concern him.

627 In the eyes of talaka, sholo is the major means for keeping
829 the peace. They do not distinguish sharply between the resolu-
• 671 tion of conflicts through sholo and through judgments handed down in the courtroom. The Kanuri do not conceive of an impartial legal system which grants all individuals equal protection. Law is conceived of as mediation granted by particular individuals, some more trustworthy than others. Whether one brings one's complaint before the Ajia, the Alkali, or the Lowan depends on whether one has greater trust in the Ajia, the Alkali, or the Lowan. In any case, one brings one's complaint to be heard by a single man, with his particular whims, idiosyncracies and prejudices, and one chooses the man in whom one
[648] has the greatest confidence. According to the British view, sholo given by an Ajia or Lowan is not permitted, and is therefore not binding on the parties involved. A man who has received an unfavorable decision in sholo can complain to the court and the decision will be overruled. The Ajia or Lowan who heard the case will have difficulty because of it. This rarely happens because the talaka sees the situation from an entirely different viewpoint. When he brings a case for sholo and receives an adverse ruling, the dispute must end there as he has done everything possible for him to do in the situation, particularly if no bribes have been given (to his knowledge)

627 and he has had an opportunity to present his side of the dis-
829
• 671 pute. If he feels that the mediator has been bribed and the
[624] case has not been properly handled, he knows that he must never bring a case for sholo before that Ajia or Lowan again and he will let his relatives, friends, and neighbors know what occurred. If a decision has been against him, and he has no reason to suspect that it was not fairly given, then he cannot take the case for further sholo, since his case has already been decided. Taking his case before the Alkali would be to take it once again for sholo, and if he had trusted the Alkali more than he did the Lowan who originally gave sholo in the case, he would have brought his complaint directly to the Al-
[693] kali in the first place. In addition, the court exacts wushira from the winner, more than is paid in sholo, as well as other fees paid to police who bring in witnesses, and to court appointed assessors of property, in property disputes.

4. Taxation and the role of kabuna.

663 The two primary responsibilities of a Kanuri political of-
651 ficial are to properly administer his territory and to collect taxes. The first duty involves the handling of disputes and
[345] maintaining adequate control over subordinates. So long as the traditional social system remains in effect, each class of individual will know its place, talaka will come to those in authority for sholo, subordinates will fear and respect their superiors, and those in power will not usurp their power by unduly exploiting the populace.

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of the first ascendant generation and is sometimes extended to spouse's senior siblings, real and classificatory. The second term tiu (junior in-laws) refers to spouse's collaterals and descendant generation kin members. The terms kàsai and tiu can be used to address all relations by marriage if the speaker so desires. Thus, ego's daughter's husband can be a tiu and the father of this person can be addressed as kàsai. Or again a sibling's spouse can be addressed as tiu and the parents of this person are kàsai. Consanguinal terms are used for spouses of parents' collaterals and a spouse's grandparents are given the same term as own grandparents. However, dur does not apply to affines of any kind unless there has been a nyia durbe (kin marriage), i.e. a cousin marriage.

602

For reasons of residence, inheritance and legal responsibility, ties with the father's and mother's kin are of a different kind. The high proportion of patrilocal marriages as well as the differential division of inheritance as between males and females on the one hand and agnatic and uterine kin on the other in Maliki law tends to emphasize the father's agnatic group as the more important.(1) It is also the agnatic kin of the father who go to court to support ego and who help him to pay fines.

[591] [428] [67]

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Terms of reference are most generally formed from the terms of address by adding the possessive pronoun at the end of the word. Thus ya (mother) can be yanyi (my mother) or yanun (your mother) or yansà (his/her mother). Due to the reciprocal nature of the joking relationship between grandparent and grandchild, the term of address (grandparent speaking) is kaka, and is used reciprocally, while the differentiated term for grandchild (diwo) is used primarily

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(1) Buxton, F.H.; Maliki Law, (London) 1914, pp. 373-397.

647
661 Discipline in the N.A. reflects the operation of Kanuri values and their instrumentation by European standards. For not being loyal, subservient and profitable as a subordinate in the N.A., a man can be punished by adverse reports which refer to his incompetence, his [183] laziness, his dishonesty, or some particular bungle on his part. The formal reason given for disciplinary action is derived always from the European standards of public service morality, and the real reason generally has to do with superior/subordinate relationships within the N.A. Thus the cause given by local gossip in Bornu for the "purge" of N.A. officials which took place in 1956, all have to do with relations between superiors and subordinates. One explanation deals with the jealousy and rivalry between the Treasurer and the Assistant Treasurer, the other and more widely told story alludes to the difficulties between the Bornu Treasurer and the Wakil (chief follower) of his extended household organization. None of the local rumours attributed the cause of the trials (which led to many jail sentences and dismissals) to the fact of corruption in the civil service. Since British public service morality has been written into law in Nigeria, this method of discipline and pressure, although more easily invoked in the colonial situation, because of the arousable indignation of the local British officers will undoubtedly endure after the country obtains its independence. [671] 261.

Political Parties

665 In contemporary Bornu modern political parties link Bornu to the Northern Region and the Federal Union of Nigeria. Constituted authority, the DH's, Lawans, the judges, the higher officials of the N.A. and all their followers support the N.P.C. (Northern Peoples Congress) which represents similar interests in other provinces of the North. It also forms the majority party in the Nigerian Federal gov-